

OFGS File No. P/14-383

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Rudolf BUCK et al.

Serial No.: 09/023,435

Group Art Unit: 1731

Filed: February 13, 1998

Examiner:

For: TWIN WIRE FORMER

Hon. Commissioner of Patents and Trademarks
Washington, DC 20231

TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING
REJECTION (37 CFR §1.321(b))

Interest of Person Making This Disclaimer

I, Robert C. Faber of Ostrolenk, Faber, Gerb & Soffen, LLP with offices at 1180 Avenue of the Americas, New York, New York 10036-8403, represent that I am a representative authorized to sign on behalf of the assignee identified below owning all of the interest in this application.

Identity and Title of Disclaimant

The assignee is:

Name of assignee J.M. Voith GmbH

Address of assignee D-7920, Hendenheim, Germany

Title of disclaimant authorized to sign on behalf of assignee:

Attorney for Applicant

Recordal of Assignment in PTO

The assignment was recorded on November 12, 1991, at Reel 6156, Frame 0614. Said document has been reviewed and, to the best of the assignee's knowledge and belief, title is in the assignees.

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Disclaimer

J.M. Voith GmbH hereby disclaim the terminal part of any patent granted on the above-identified present application which would expire beyond any of the expiration dates of the full statutory terms of United States Patent Nos. 5,389,206, 5,500,091 and 5,718,805; and

agrees that any patent so granted on the above-identified present application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 5,389,206, 5,500,091 and 5,718,805, this agreement to run with any patent granted on the above-identified present application and to be binding upon the grantee, its successors or assigns; and

does not disclaim any terminal part of any patent granted on said above-identified present application that would extend to the full statutory term of any of United States Patent Nos. 5,389,206, 5,500,091 and 5,718,805 in the event that any of said United States Patent Nos. 5,389,206, 5,500,091 or 5,718,805 later expires for failure to pay maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may

jeopardize the validity of the application or any patent issuing thereon.

July 7, 1998

Date _____

Robert C. Faber

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